

## **REMARKS**

This Request for Reconsideration (hereafter "Request") is fully responsive to the final Office Action dated November 30, 2009, issued in connection with the above-identified application. A petition for a one-month extension of time accompanies this Request. Claims 1 and 3-13 are pending in the present application. With this Request, no claims have been amended, and no new matter has been introduced. Favorable reconsideration is respectfully requested.

### **I. Interview Summary**

The Applicant thanks Examiner Le and his supervisor for granting the telephone interview (hereafter "interview") that was conducted on March 4, 2010 with the Applicant's representative. During the interview, the distinguishable features between the present invention (as recited in independent claim 1) and the Matsumoto reference were discussed in detail.

Specifically, it was noted that the present invention (as recited in independent claim 1) includes a control means that applies opening energization so as to allow the blade firstly to perform an opening motion when a releasing operation is performed (e.g., even if the blade to be kept in the opened state in a photographable standby state has been closed without permission by an impulsive force from the outside). The blade is invariably positioned in the opened state immediately before photography (immediately after releasing operation) so that photography can be reliably performed.

To the contrary, Matsumoto discloses a single lens reflex camera of the lens shutter type that has the following features:

- (a) a shutter blade that is kept in an opened state by a spring (18) in the standby state; and
- (b) when a releasing operation is performed (time point  $t_0$  in Fig. 8), the shutter is firstly closed (in order to retract the light intercepting plate or a reflecting mirror from the light path), and then the shutter blade is opened and closed for completion of photography (see col. 7, lines 55-57).

In other words, Matsumoto does not disclose or suggest that when a releasing operation is performed, the control means applies opening energization so as to allow the blade firstly to

perform an opening motion and then applies closing energization so as to allow the blade to perform a closing motion to move into a closed state for completion of photography.

At the conclusion of the interview, the Examiner and his supervisor agreed that the above features of the present invention (as recited in independent claim 1) are not disclosed or suggested by the Matsumoto reference. Additionally, the Examiner and his supervisor agreed that if a response to the outstanding Office Action is filed that provides similar arguments to those presented during the interview, the rejections in view of Matsumoto would be withdrawn. However, the Examiner and his supervisor did indicate that further search and consideration would be necessary before making a final determination regarding the allowability of the claims.

## **II. Claim Objection**

In the Office Action, claims 10-13 have been objected to, but would be allowable if rewritten in independent form to include all the limitations of the base claim and any intervening claims. The Applicant has decided not to rewrite claims 10-13 (as suggested) at this time because the arguments provided herein are believed to be sufficient to overcome the rejection to the base claim (i.e., claim 1) from which claims 10-13 depend.

## **III. Claim Rejection under 35 U.S.C. 102**

In the Office Action, claims 1 and 3 have been rejected under 35 U.S.C. 102(b) as being anticipated by Matsumoto (U.S. Patent No. 4,984,003, hereafter "Matsumoto"). As noted during the interview, Matsumoto fails to disclose or suggest all the features recited in independent claim 1. Independent claim 1 recites *inter alia* the following features:

"[a] blade driving device for use in cameras, the blade driving device comprising:...

a control means for drive-controlling the electromagnetic actuator and applying opening energization and closing energization to the electromagnetic actuator so as to allow the blade to perform an opening motion to move into an opened state when turning on an electric-power supply in order to set a photographable standby state in which a dynamic image and a still image are photographable, and to first perform an opening motion when a releasing operation is performed, and then to perform a closing motion for completion of a photograph." (Emphasis added).

As noted during the interview, the present invention (as recited in independent claim 1) is distinguishable from the cited prior art at least for the reasons noted below.

(1) a control means applies energization to an electromagnetic actuator as follows:

(a) first, when turning on an electric power supply in order to set a photographable standby state in which a dynamic image and a still image are photographable, the control means applies opening energization so as to allow the blade to perform an opening motion to move into an opened state; and

(b) next, when a releasing operation is performed, the control means first applies opening energization so as to allow the blade to perform an opening motion again and then applies closing energization so as to allow the blade to perform a closing motion to move into a closed state for completion of photography.

The present invention (as recited in claim 1) provides clear advantages and unexpected results over the cited prior art. That is, the control means applies opening energization so as to allow the blade to perform an opening motion again when a releasing operation is performed (e.g., even if the blade to be kept in the opened state in a photographable standby state has been closed without permission by an impulsive force from the outside).

In the Office Action, the Examiner relies on Matsumoto for disclosing or suggesting all the features recited in independent claim 1. In particular, the Examiner relies on col. 7, lines 48-60 for disclosing or suggesting all the features of the control means of the present invention (as recited in independent claim 1).

However, as agreed during the interview, Matsumoto more accurately performs the following operations when a releasing operation is performed:

- (i) (firstly) applies closing energization so as to allow the blade to perform a closing motion in order to prevent the photosensitive material (film) from being exposed to the scene light when withdrawing the light intercepting plate or the reflecting mirror from the light pass in front of the photosensitive material (film);
- (ii) (secondly) applies opening energization so as to allow the blade to perform an opening motion for exposure (in order to expose the photosensitive material

(film); and then

- (iii) (thirdly) applies closing energization so as to allow the blade to perform a closing motion for completion of photography.

In other words, Matsumoto does not disclose or suggest that when a releasing operation is performed, the control means first applies opening energization so as to allow the blade to perform an opening motion again and then applies closing energization so as to allow the blade to perform a closing motion to move into a closed state for completion of photography (i.e., as recited in independent claim 1).

In summary, the releasing operation of the present invention (as recited in independent claim 1) is characterized by firstly an opening motion and then a closing motion, whereas the releasing operation of Matsumoto is to be performed by firstly a closing motion, secondly an opening motion, and then thirdly a closing motion.

Based on the above discussion, the present invention (i.e., as recited in independent claim 1) is not anticipated by Matsumoto. Likewise, claim 3 is not anticipated by Matsumoto at least by virtue of its dependency from independent claim 1.

#### **IV. Claim Rejection under 35 U.S.C. 103**

In the Office Action, claims 4 and 5 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Matsumoto; claims 6 and 7 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Matsumoto in view of Ikeda (Japanese Patent Application No. 2001-183718, hereafter "Ikeda"); and claims 8 and 9 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Matsumoto.

Claims 4, 5, 6, 7, 8 and 9 depend (directly or indirectly) from independent claim 1. As noted above, Matsumoto fails to disclose or suggest all the features of independent claim 1. Moreover, Ikeda fails to overcome the deficiencies noted above in Matsumoto.

Specifically, Ikeda discloses a shutter device for use in a digital camera, wherein as shown in Fig. 8, the control means controls the blades so as to perform an opening motion only before a releasing operation is performed. In other words, in the standby state before a releasing operation is performed, the control means applies opening energization so as to allow the blade

to perform an opening motion to move into an opened state at all times, and when a releasing operation is performed, the control means applies only closing energization so as to allow the blade to perform a closing motion to move into a closed state for completion of photography.

Thus, similar to Matsumoto, Ikeda does not disclose or suggest that when a releasing operation is performed, the control means applies opening energization so as to allow the blade to perform an opening motion again and then applies closing energization so as to allow the blade to perform a closing motion to move into a closed state for completion of photography (i.e., as recited in independent claim 1).

Thus, even if a person of ordinary skill in the art were to combine the teachings of the cited prior art, the combination still would not disclose or suggest all the features and the advantages of the present invention noted above (i.e., with reference to independent claim 1). Accordingly, no combination of Matsumoto and Ikeda would result in, or otherwise render obvious, claims 4, 5, 6, 7, 8 and 9 at least by virtue of their dependencies from independent claim 1.

In light of the foregoing, the Applicant respectfully requests that the Examiner withdraw the rejections presented in the outstanding Office Action, and pass the present application to issue. The Examiner is invited to contact the undersigned attorney by telephone to resolve any remaining issues.

Respectfully submitted,

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